

AF/2800

In re PATENT application of: Thomas D. Petite

Examiner: Fannie Evans

Serial No.: 08/825,576

Group No.: 2887 / 2899

Filed: 3/31/97

Docket No.: 81607-1010

Title: **Transmitter for Accessing Automated Financial Transaction Machines**

Confirmation No.: 1135

AMENDMENT TRANSMITTAL LETTER

**Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450**

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NOV - 7 2003

Sir:

Transmitted herewith is an amendment in the above-identified application.

- | | |
|---|--|
| <input checked="" type="checkbox"/> Response/Amendment | <input type="checkbox"/> Terminal Disclaimer |
| <input type="checkbox"/> Fee as Calculated Below | <input type="checkbox"/> Corrected Drawings |
| <input checked="" type="checkbox"/> No additional fee is required. | <input checked="" type="checkbox"/> Other: <u>Amended Appeal Brief</u> |
| <input checked="" type="checkbox"/> Small Entity status has been established. | |

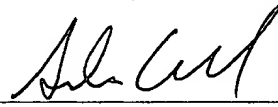
| CLAIMS AS AMENDED FOR SMALL ENTITY | | | | | |
|---|------------------------|------------------------|-------|-----------|----------------|
| | Claims After Amendment | Highest Prev. Paid For | Extra | Rate | Additional Fee |
| Total Claims | 6 | - 31 | 0 | x \$9.00 | = \$0 |
| Independent Claims | 3 | - 10 | 0 | x \$42.00 | = \$0 |
| Total Additional Fee for this Amendment | | | | | = \$0 |

- ☐ A check in the amount of \$ is enclosed.
- ☐ A Credit Card Payment Form PTO-2038 is attached in the amount of \$.
- ☐ The Commissioner is hereby authorized to charge to our Deposit Account No. the amount of \$ for the fee identified above. A duplicate of this Amendment Transmittal Letter is included herewith.
- ☒ The Commissioner is authorized to charge any insufficiencies, and the Commissioner is hereby requested to credit any overpayments to our Deposit Account No. 20-0778.

Customer No.: 24504

**THOMAS, KAYDEN, HORSTEMEYER
& RISLEY, L.L.P.**

Date: 10/31/03



Adam E. Crall, Reg. No. 46,646
Attorney for Applicant(s)

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to:

**Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450**

on 10/31/03.

Stephanie Riley
Stephanie Riley

In re application of: Thomas D. Petite

Group No.: 2877

Serial Number: 08/825,576

Examiner: Fannie L. Evans

Filing Date: 3/31/97

Title: Transmitter for Accessing Automated Financial Transaction Machines

Attached are the following documents for filing with the USPTO:

Postcard
Amendment Transmittal Form (1 Page)
Amendment to Notice of Non-Compliance with 37 C.F.R. 1.192(c)
Amended Appeal Brief (in triplicate)



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Thomas D. Petite

Serial No.: 08/825,576

Filed: March 31, 1997

For: **Transmitter for Accessing Automated
Financial Transaction Machines**

Examiner: F.L. Evans

Art Unit: 2877

Docket: 81607-1010

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on 10/31/03.

Stephanie Riley
Stephanie Riley

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RESPONSE TO NOTICE OF NON-COMPLIANCE WITH 37 C.F.R. §1.192(c)

Honorable Commissioner of Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In regard to the outstanding Notification of Non-Compliance with 37 C.F.R.

1.192(c) of October 15, 2003, (Paper No. 36), Applicant submits the following remarks.

No fee is believed to be due in connection with this response. If, however, any fee is deemed to be payable, you are hereby authorized to charge any such fee to Deposit Account No. 20-0778.

REMARKS

This is a full and timely response to the Notification of Non-Compliance of October 15, 2003. Submitted herewith is an Amended Appeal Brief complying with the requirements made in the Notification of Non-Compliance. Applicant respectfully requests that the Patent Office accept the accompanying Amended Appeal Brief for consideration by the Appeal Board.

In the Notification of Non-Compliance, it is alleged that “the brief does not identify the appealed claims.” Applicant has amended section III entitled “Status of the Claims” to recite that the final rejection of claims 26 – 29 is appealed. Applicant respectfully requests that the objection to the Status of the Claims section of the Appeal Brief be withdrawn.

It is further asserted in the Notification of Non-Compliance that the “brief does not contain a concise statement of the issues presented for review.” Applicant has amended section VI entitled “Concise Statement of the Issues Presented for Review” and believes this section complies with MPEP §1206. Applicant respectfully requests that the objection to the Concise Statement of the Issues Presented for Review section of the Appeal Brief be withdrawn.

The Notification of Non-Compliance objects to section VII entitled “Grouping of the Claims” for containing an informality. To overcome this objection, Applicant has amended this section to reflect that the claims are clearly divided into three claim groups. Applicant respectfully requests that the objection to the Grouping of the Claims section of the Appeal Brief be withdrawn.

For at least the foregoing reasons, Applicant requests that the objections to the Appeal Brief be withdrawn and that the Patent Office accept the Amended Appeal Brief for consideration. If the Examiner has any questions or comments regarding this paper, the Examiner is encouraged to telephone the Applicant's undersigned counsel.

Respectfully submitted,



Adam E. Crall
Registration No. 46,646

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